

**Producer Advisory Council
Meeting Minutes**

**January 25, 2012
1:00-2:30pm
Division of Insurance
1560 Broadway, Suite 850
Denver, CO 80202
Conference Room 850-B**

Council Members:

Rocky Mountain Insurance Information Association
Professional Independent Insurance Agents
Society of Financial Service Professionals
National Association of Insurance & Financial Advisors

Long Term Care Forum of Colorado
Land Title Association of Colorado
Industry
Industry

Individual Contact:

Carole Walker
Gary Frisch
Janet Van Dorn
Coleen Love, Hartman Axley,
James Evans, Patrick Kelly
Aaron Eisenach & Tammey Sullivan
Greg Wolff
Jim Passarelli
Steve Caldara

Division of Insurance:

Commissioner Riesberg, Paula Sisneros, Jo Donlin, Tom Abel, Caryn Berumen, Lauren Keast

Administrative Matters

- Approval of Minutes: The September and November 2011 and January 2012 meeting minutes will be approved February 15, 2012.
- Council Rules / Guidelines: Director Sisneros proposed amendment of the Operating Principles to specify how PAC membership is determined (appointed by the Commissioner, as with Title and Bail, or voted in), determine term limits, define council objectives, and stipulate how meetings are to be run (Robert's Rules for voting).
- Membership: Director Sisneros reached out to Colorado Group Insurance Association and Financial Planning Associates of Colorado. Individual contacts to be determined. Currently, there are 17 members; seven individual agents will be reduced to five. Each council member will have only one vote regardless of the number of individuals represented. Membership will be finalized at the next meeting.

Legislation / Communications

- Legislative Update: Jo Donlin discussed
 - HB-1093, Commissioner Riesberg advised members that the definition included a furnace as a home appliance. The hearing is to be held January 26, 2012, 1:30pm, Room 112.
 - HB-1057, Homeowners Insurance: DOI Monitoring
 - HB-1071, Portable Electronics: Requires certain vendors to be licensed.
 - SB-38, Roofing/Consumer Protections: Does not affect the Division
 - HB-1215 allows DOI to join a multi-state compact to recover premium tax payments.

General

- Colorado Health Insurance Exchange: Commissioner Riesberg provided update. Patty Fontneau has been hired by the Exchange Board, the grant request is due end of February, there will be 4 plans with 10 essential benefits, Supreme Court hearing in May, and finally, the technology will be the most expensive piece of implementation.
- Governor's Regulatory Reform and Red Tape Reduction: Director Sisneros advised the Division has completed Phase I of regulation review; 161 regulations were reviewed with 72 identified for modification, and 15 for repeal.
- Long Term Care: Tom Abel discussed Regulation 4-4-1, *Concerning Long-Term Care Partnership Program*. Draft regulation provides for federal requirement of inflation protection. The Regulation is scheduled for April 1 hearing and June effective date.

Rulemaking Hearings

- December 1, 2011: The following regulations have been adopted and will go into effect February 1, 2012.
 - 1-1-4, Concerning the Maintenance of Offices In This State
 - 2-3-1, Concerning the Formation and Operation of Captive Insurance Companies in Colorado
 - 2-4-1, Concerning Surplus Lines Insurance Issued by Nonadmitted Insurers
 - 3-1-11, Risk-Based Capital (RBC) for Insurers
- January 3, 2012:
 - 2-1-4, Concerning the Entry of Alien Insurance Companies in Colorado
 - 2-1-7, Concerning Issuance of a Certificate of Authority
 - 4-2-16, Women's Access to Obstetricians and Gynecologists Under Managed Care Plans
 - 4-2-18, Concerning the Method of Crediting and Certifying Creditable Coverage for Pre-Existing Conditions
- February 1, 2012: Hearing
 - 1-1-8, Penalties and Timelines Concerning Division Inquiries And Document Request
- Director Sisneros advised members to bring concerns about regulations to the Division as soon as possible.
- Director Sisneros provided education to obtain current status of regulations. Refer to www.sos.state.co.us for current status of regulations, 3 CCR-702 designated for the Division of Insurance.

Action Items

- ❖ Director Sisneros revise operating principals to include requirements for quorum, absences, and membership